

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KELLY NEIL,

Plaintiff,

vs.

NANCY A. BERRYHILL,¹

Defendant

No. 4:16-CV-5072-FVS

ORDER ADOPTING REPORT AND
RECOMMENDATION TO DISMISS
PLAINTIFF'S CLAIMS

ECF Nos. 17, 19, 20

BEFORE THE COURT is the Report and Recommendation issued by
Magistrate Judge Mary K. Dimke on February 10, 2017, ECF No. 20,

¹ Nancy A. Berryhill became the Acting Commissioner of Social Security on
January 20, 2017. Pursuant to Rule 25(d) of the Rules of Civil Procedure, Nancy
A. Berryhill is substituted for Carolyn W. Colvin as the defendant in this suit. No
further action need be taken to continue this suit by reason of the last sentence of
42 U.S.C. § 405(g).

ORDER ADOPTING REPORT AND RECOMMENDATION TO DISMISS
PLAINTIFF'S CLAIMS ~ 1

1 recommending, as per the parties' Notice of Stipulated Voluntary Dismissal, that
2 Plaintiff's claims be **DISMISSED** with prejudice. No objection was filed. After
3 review, the Court hereby adopts the Report and Recommendation in its entirety.

4 Accordingly, **IT IS ORDERED:**

5 1. The Report and Recommendation, **ECF No. 20**, is **ADOPTED** in its
6 entirety.

7 2. Plaintiff's claims are **DISMISSED** with prejudice, ECF No. 19.

8 3. Plaintiff's Motion to Extend Social Security Deadlines, ECF No. 17,
9 is **DISMISSED** as moot.

10 The District Court Executive is directed to file this Order and forward copies
11 to the parties. Judgment shall be entered for Defendant and the file shall be
12 **CLOSED**.

13 DATED March 13, 2017.

14 s/Fred Van Sickle

Fred Van Sickle

15 Senior United States District Judge